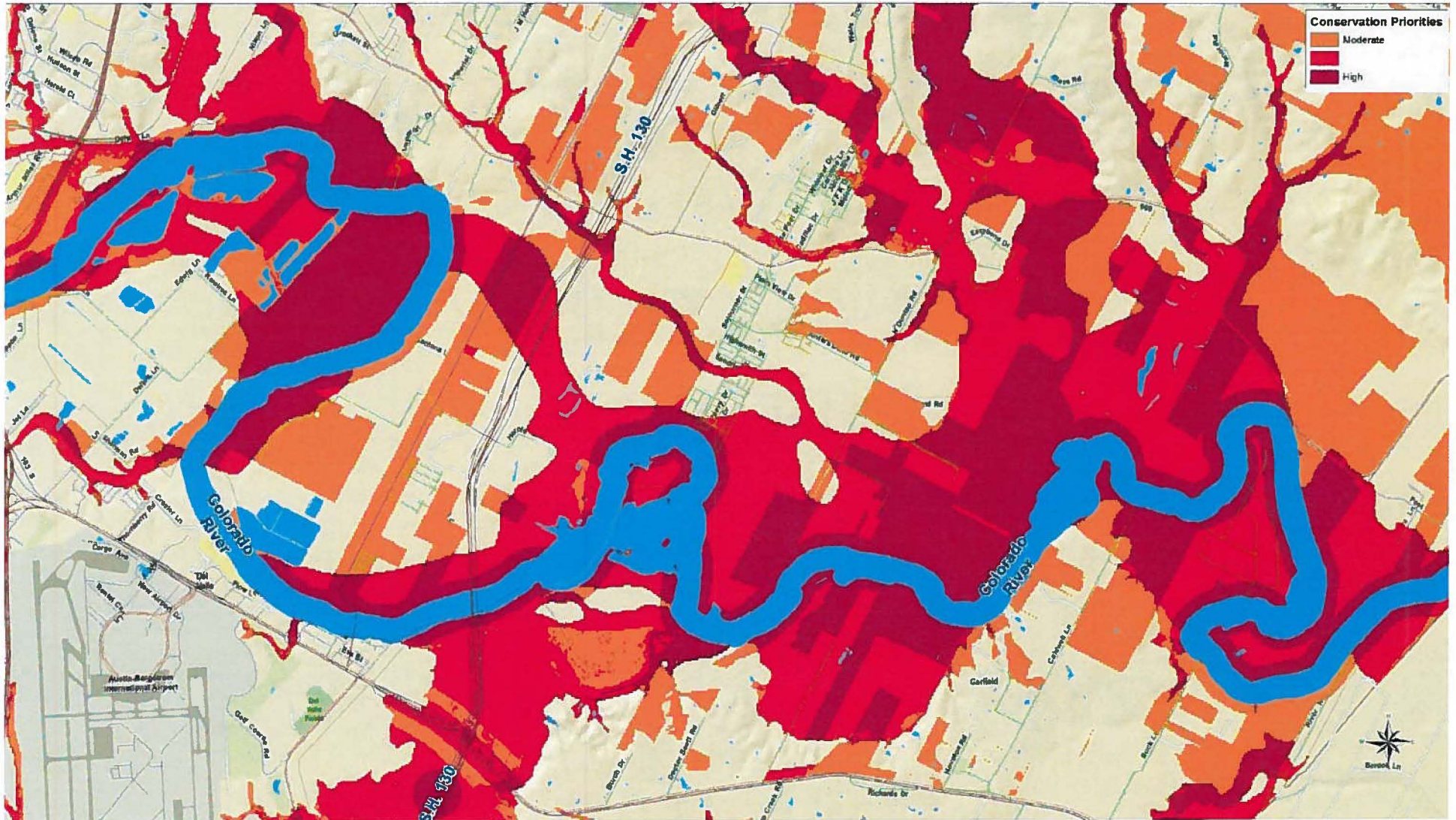


PROPOSED OPEN SPACE ACQUISITION AND DEVELOPMENT AGREEMENT

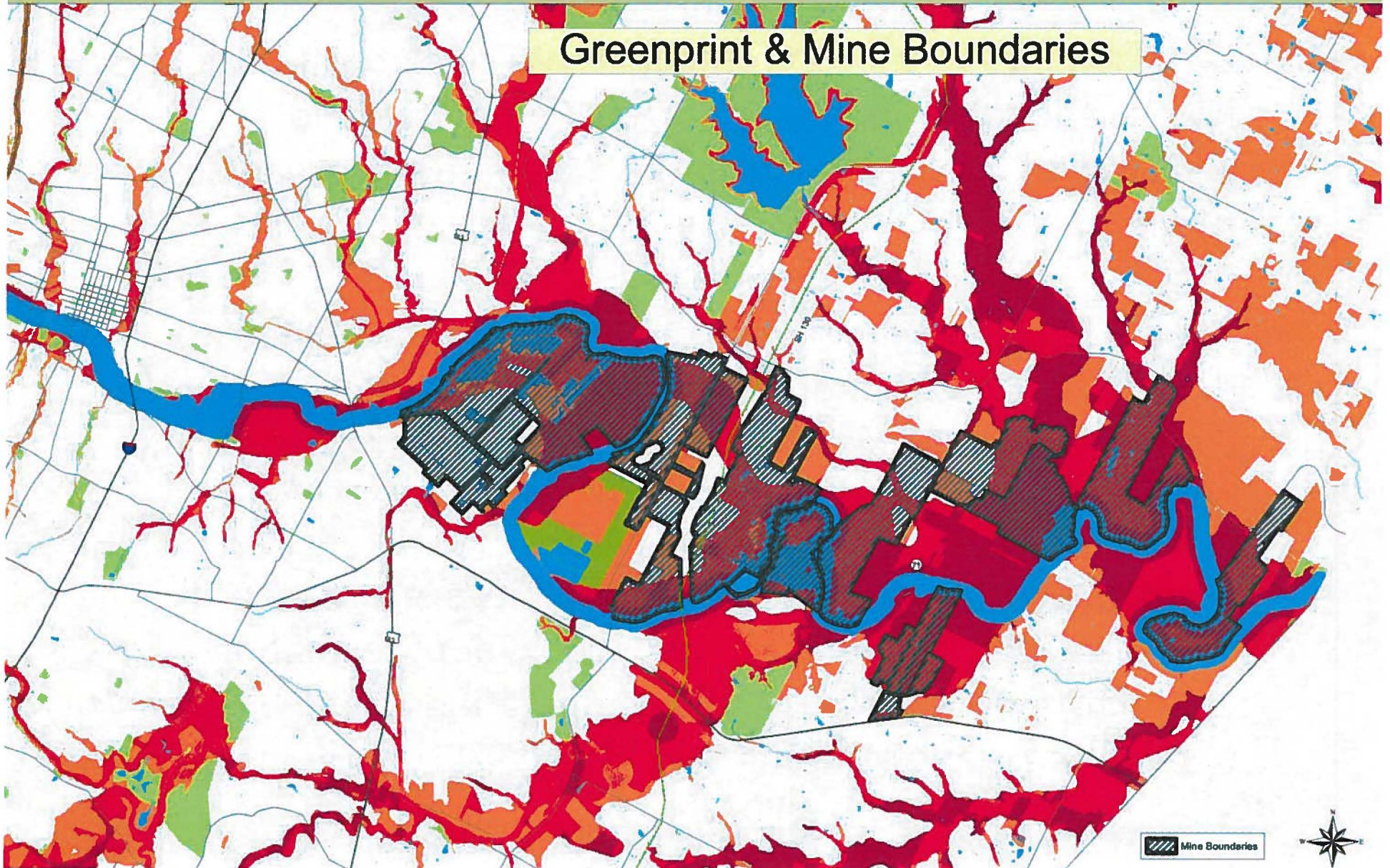
**TRAVIS COUNTY
TXI
CITY OF AUSTIN**

TRAVIS COUNTY GREENPRINT



MINING PROPERTIES

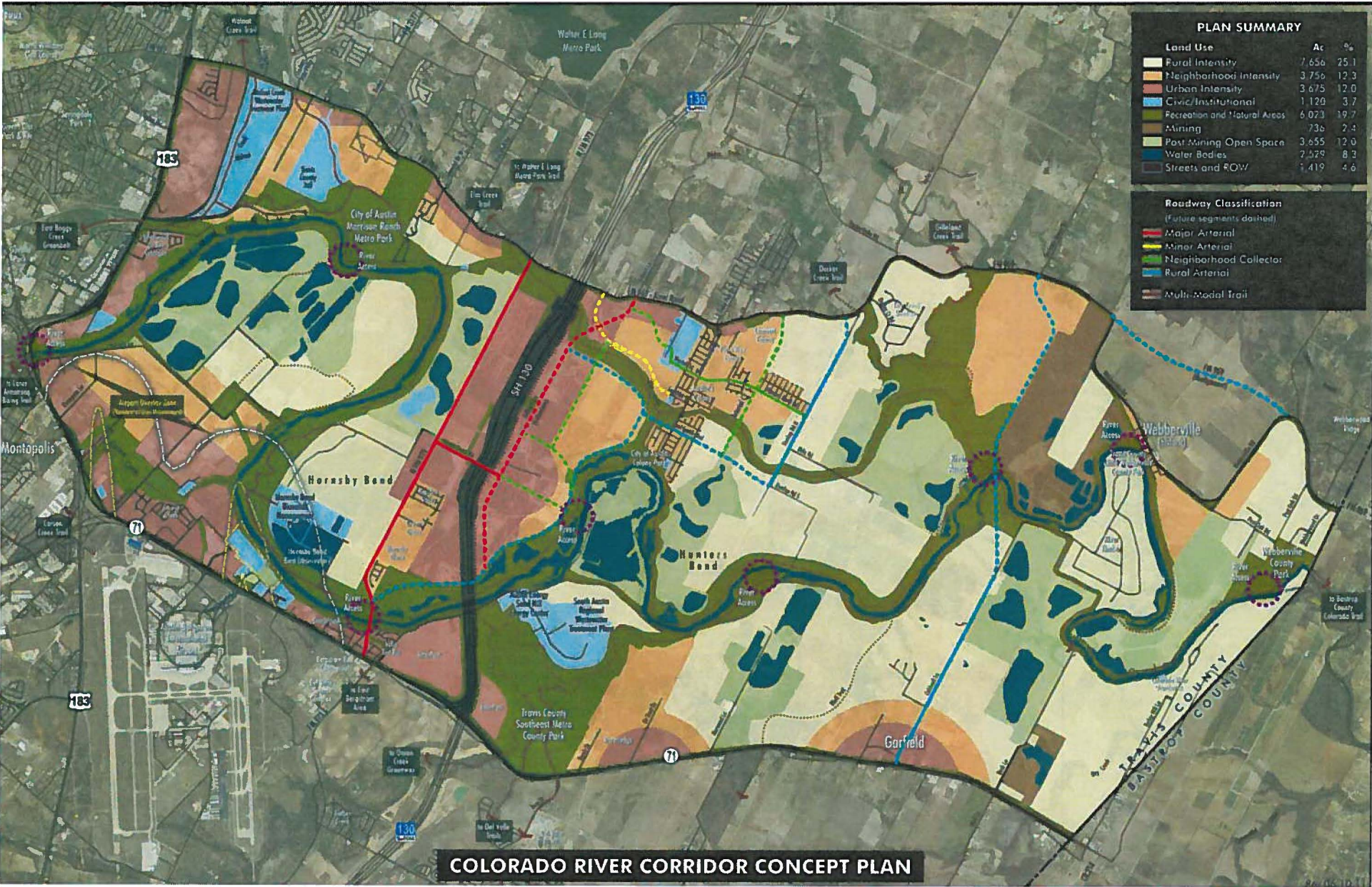
Greenprint & Mine Boundaries



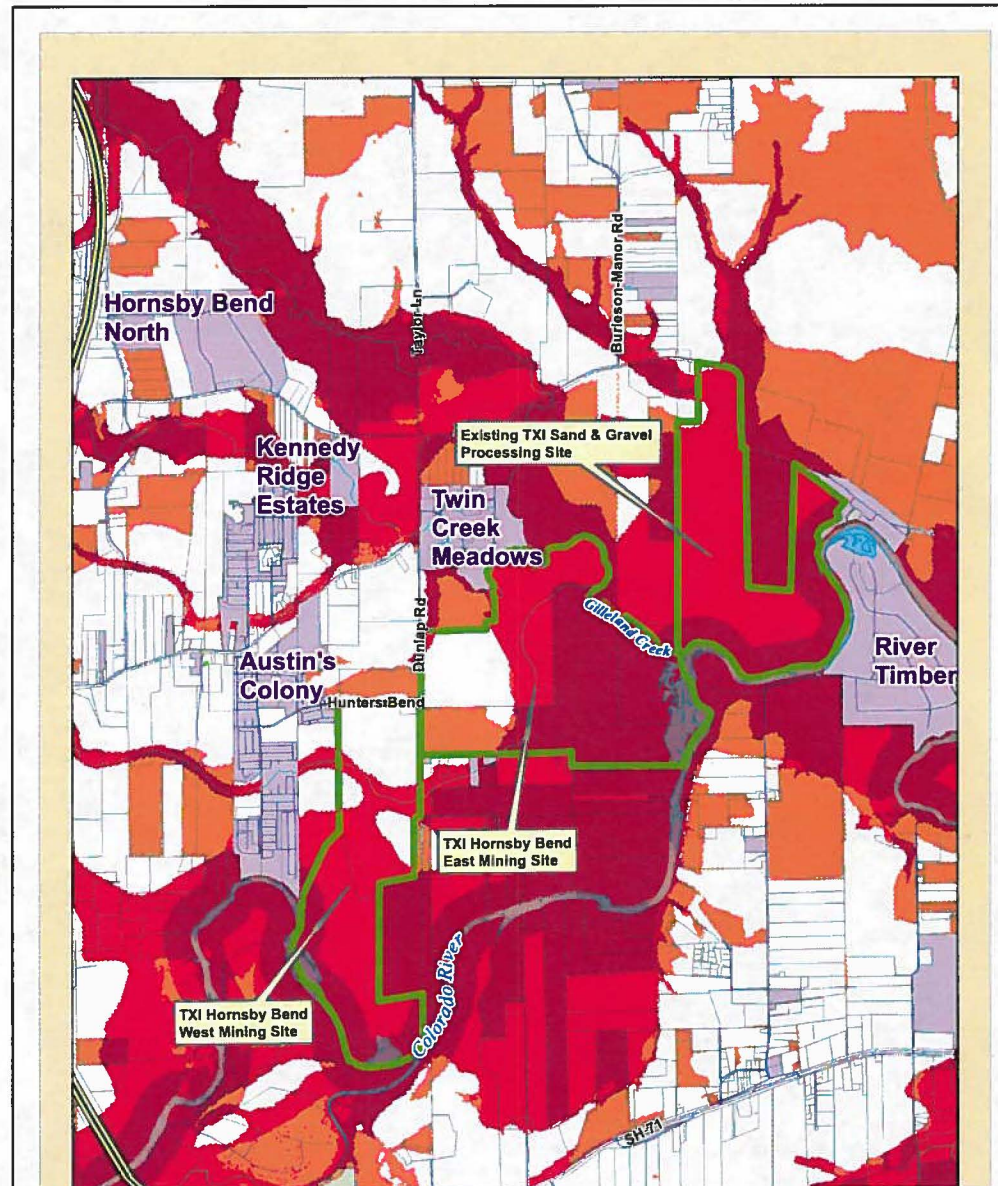
WHAT ARE THE PROSPECTS FOR ENDING MINING IN THE AREA?

- Land holdings by mining companies are so extensive, there is no realistic scenario in which Travis County can end widespread mining activity in the area in the foreseeable future.
- County buying all the mining companies' land could take decades and cost hundreds of millions of tax dollars. Mining companies would just buy other nearby land that have sand and gravel deposits.
- Major expansion of the County's and City's legal authority would be required before either could adopt regulations curtailing mining. Existing mining operations could be exempt under state grandfathering law.

Colorado River Corridor Concept Plan



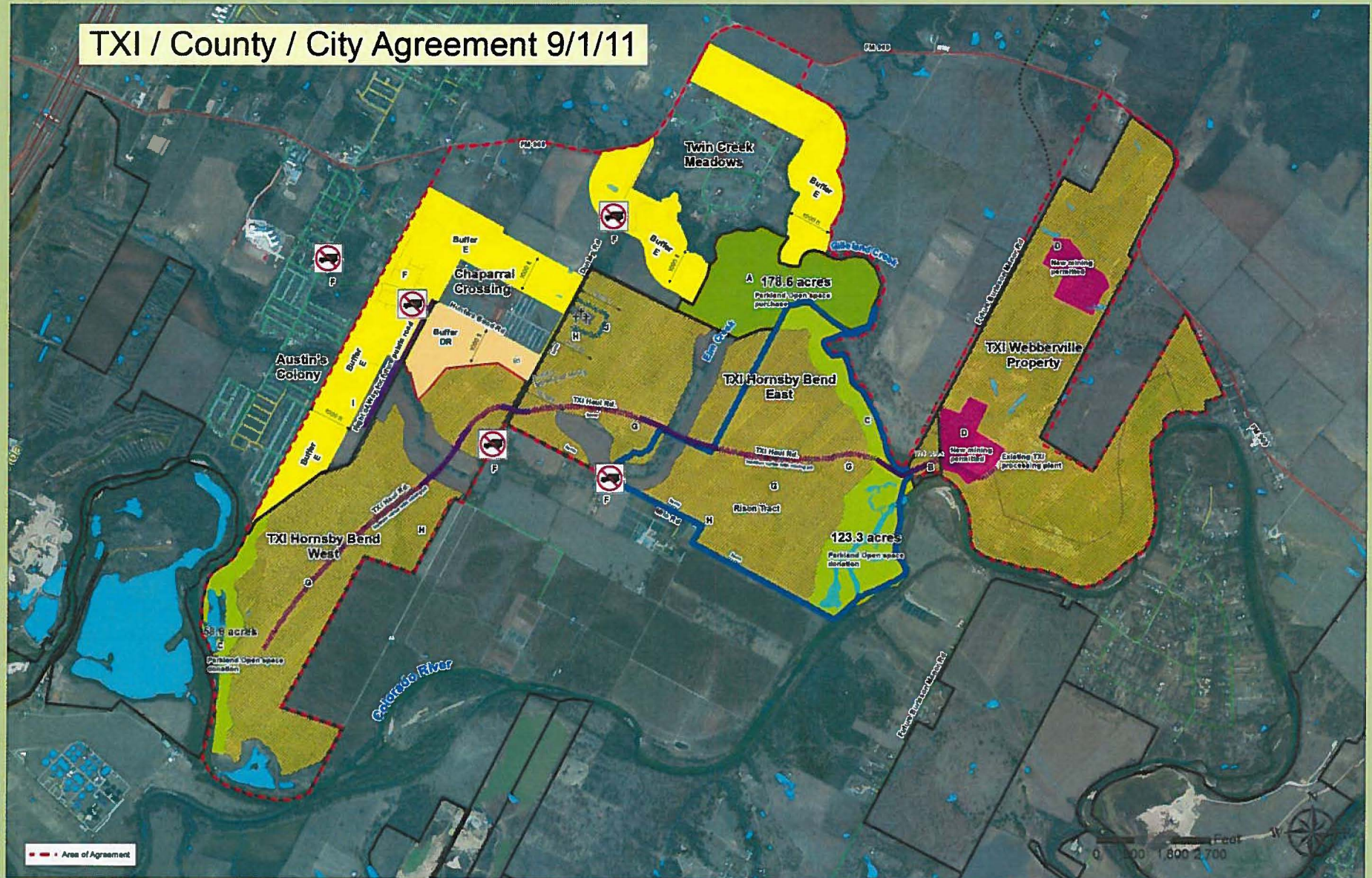
TXI HORNSBY BEND EAST & WEST



RISON TRACT

580 ACRES

TXI / County / City Agreement 9/1/11

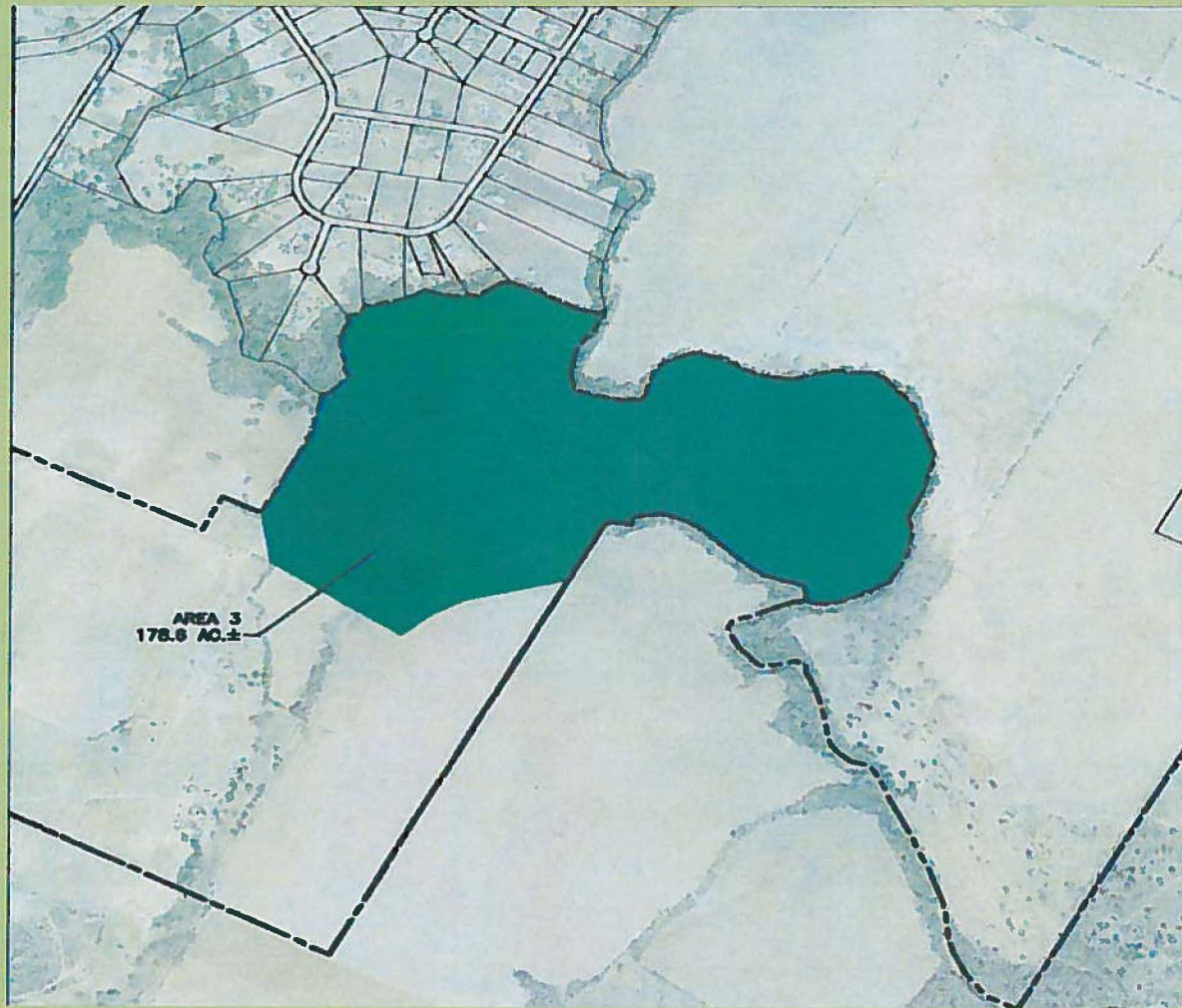


TRAVIS COUNTY PURCHASE OF THE RISON TRACT:

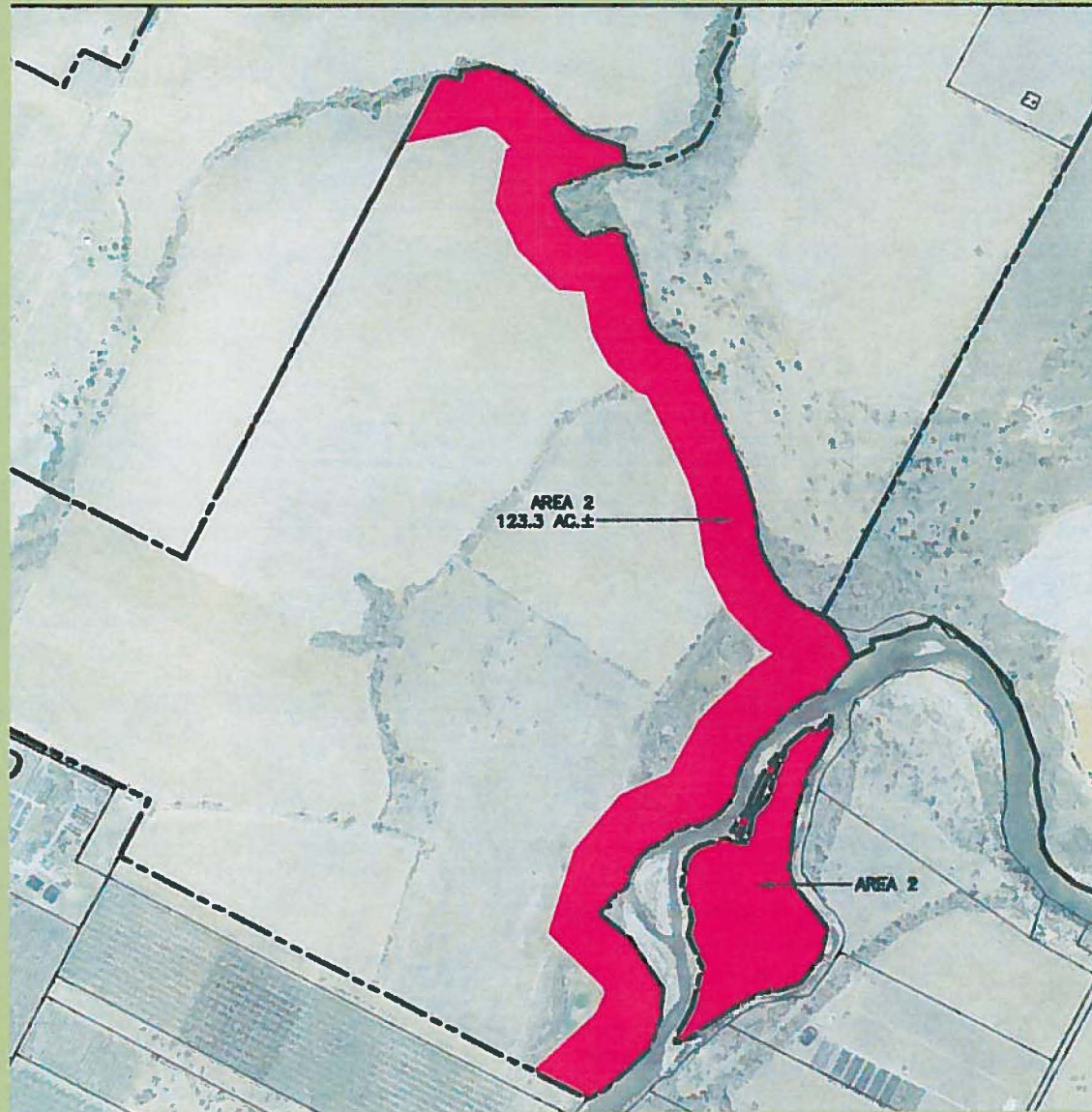
- How much would it cost the County? This is unknown.
 - \$6.17 million land price per County appraiser.
 - TXI can seek higher price plus damages by forcing condemnation.
 - “Special Commissioners” set price/damages based on both parties’ evidence.
- It would consume the entire \$6.4 million in County’s ‘05 open space bonds, and possibly much more.
- TXI can turn around and use the money the County pays it for Rison to buy other nearby mining land.
- Buying Rison doesn’t address other community concerns.

WHAT WOULD THE PUBLIC GET UNDER THE AGREEMENT?

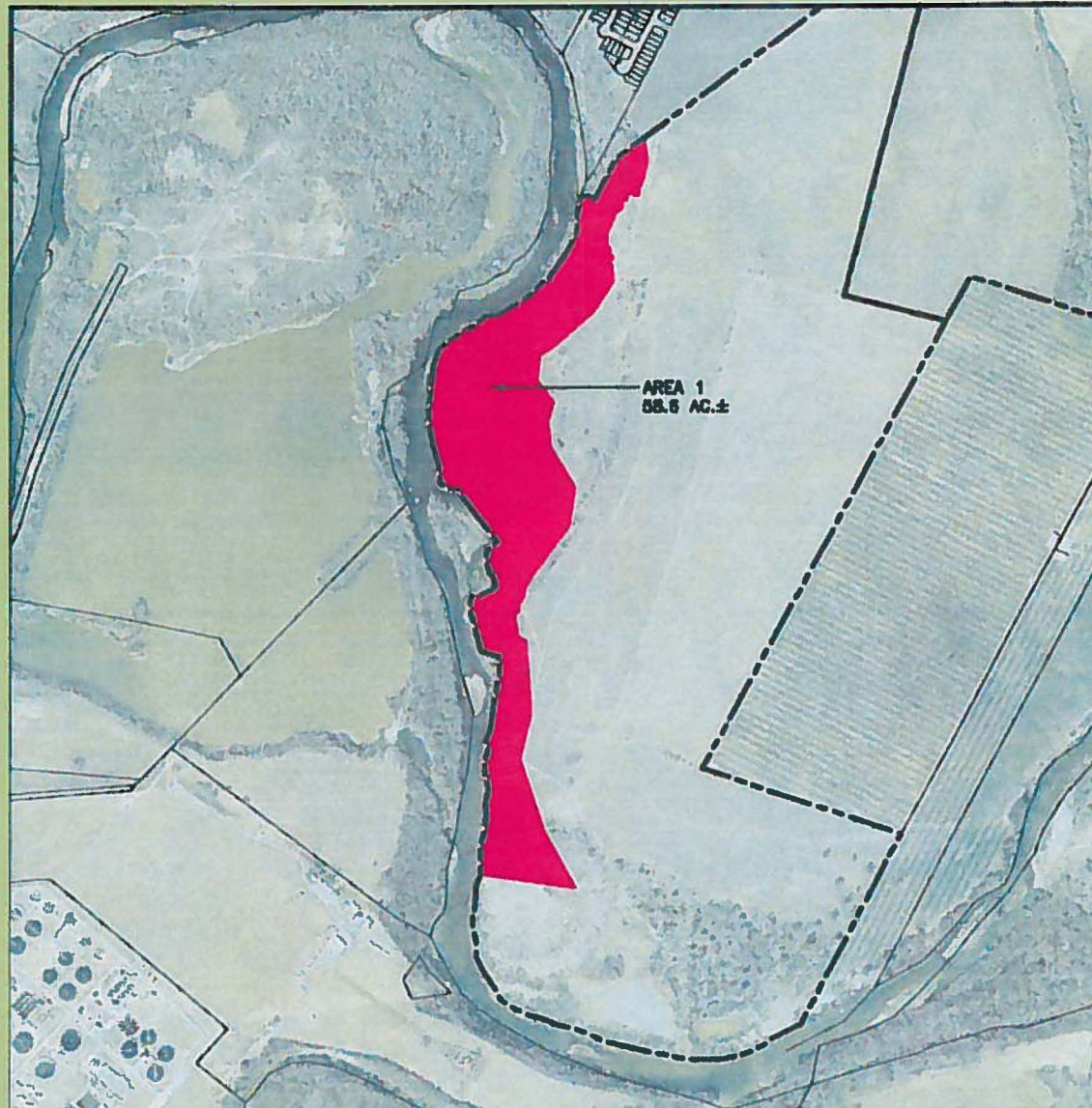
1. County buys 178.6 acres of “Greenprint” land from TXI.
 - This buffers Twin Creek Meadows from mining operations.



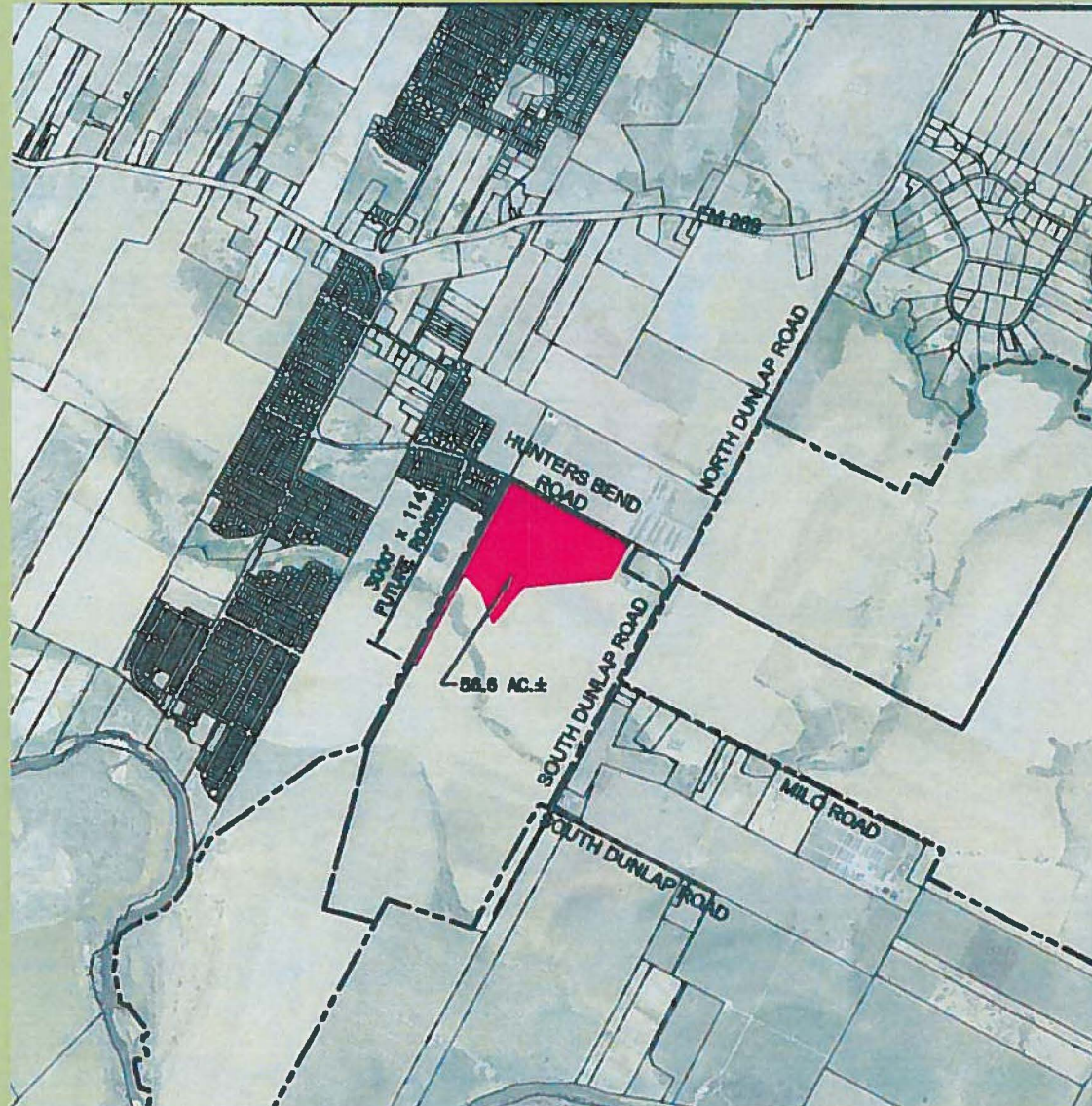
2. TXI donates to County 123.03 acres of “Greenprint” land on Gilleland Creek.
 - Part of future trail system.



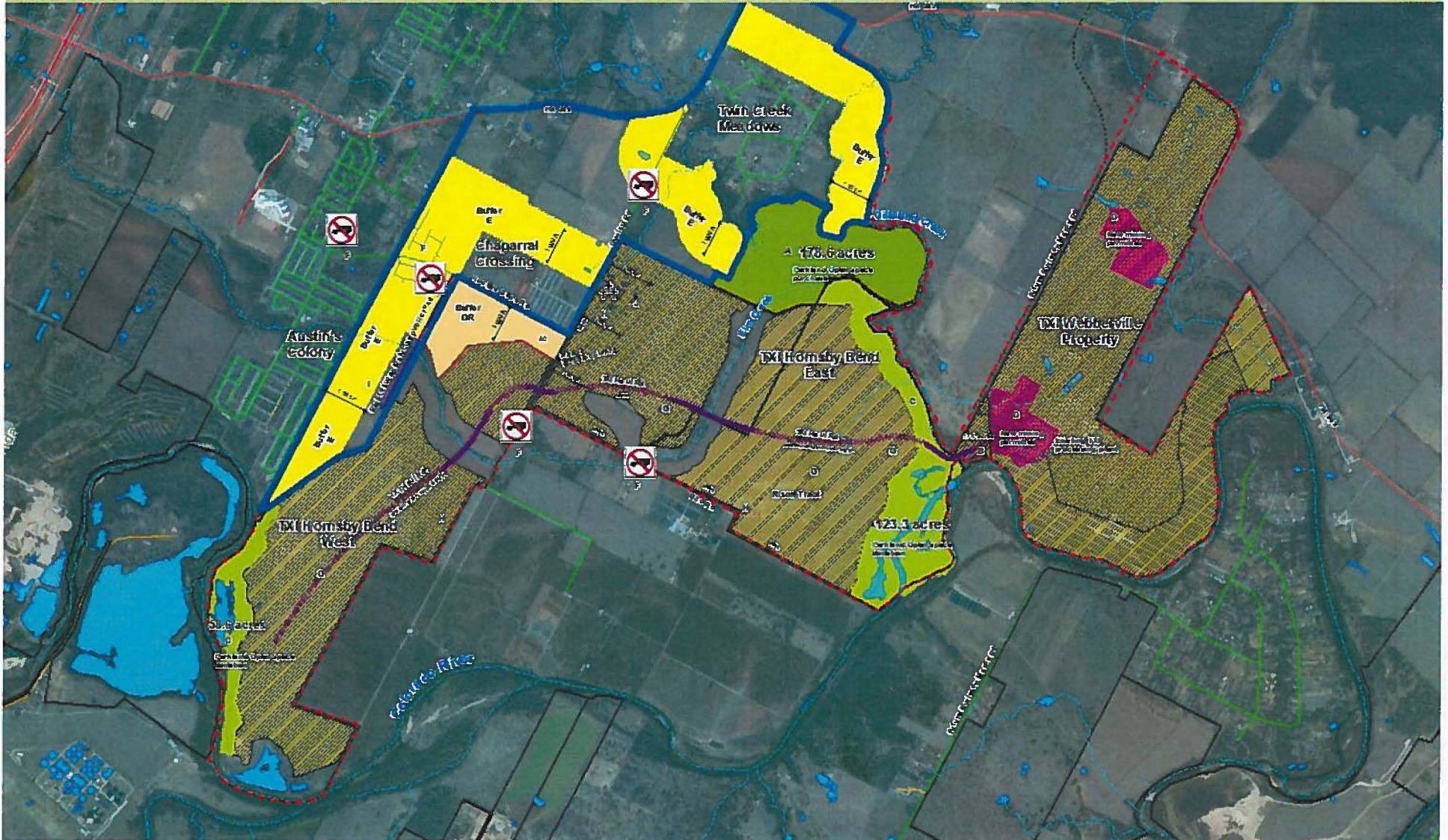
3. TXI donates to County 58.6 acres of “Greenprint” land on Colorado River.
 - Part of future trail system.



4. To buffer Chaparral Crossing, TXI agrees to deed restrictions prohibiting mining and industrial uses on 58.6 acres it owns.

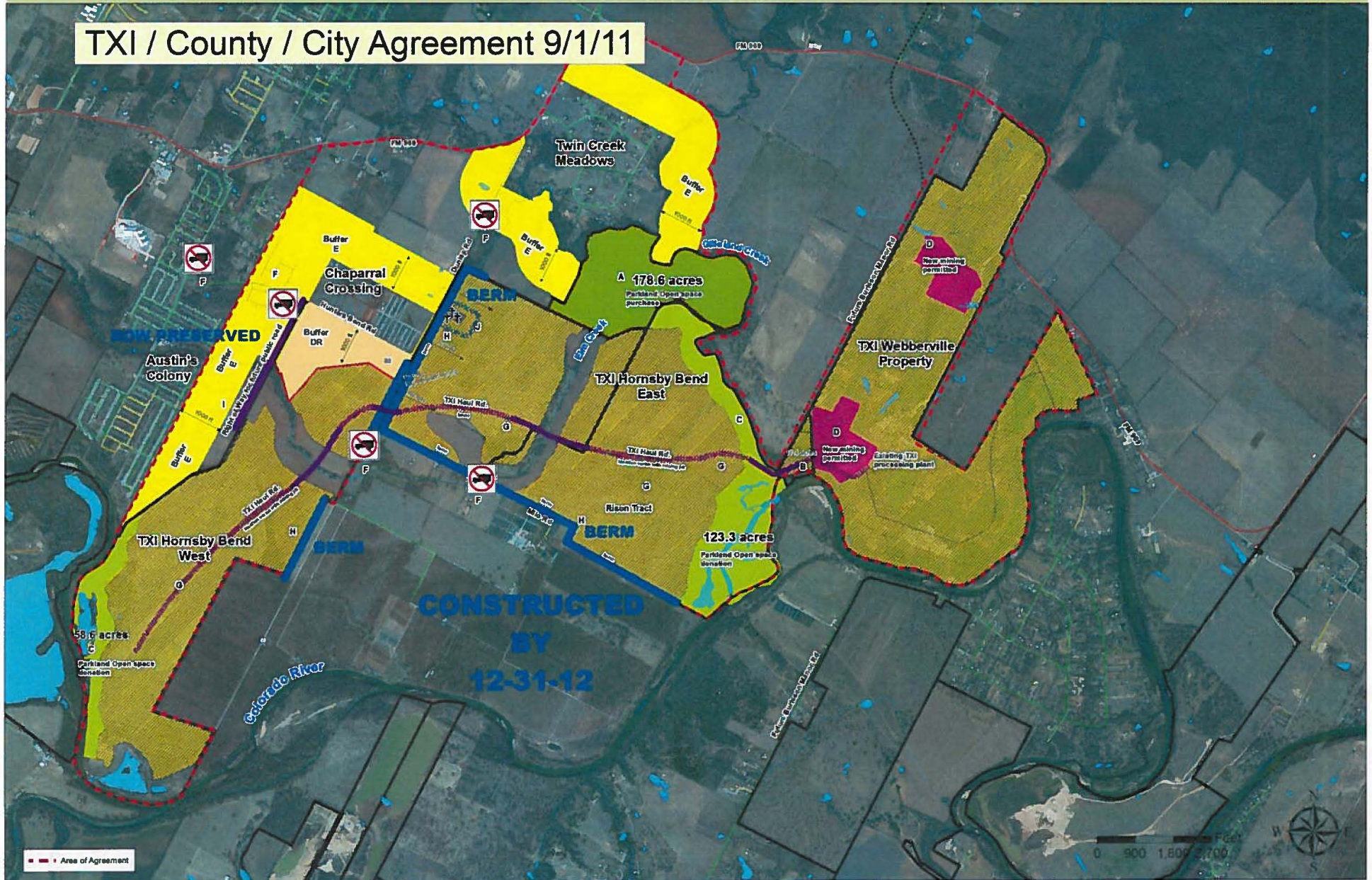


5. To buffer Austin's Colony/Chaparral Crossing/Twin Creeks, TXI agrees not to mine or engage in industrial uses on land they could acquire in the future.



6. TXI must build berms to buffer adjacent land.

TXI / County / City Agreement 9/1/11



7.

Concurrent Reclamation



LOAD



FILL



GRADE

Defined as a single process of moving overburden, “the layer or layers of materials” from above the marketable material, and placing those materials in the location needed to rough grade the site to a future beneficial use within the same earth moving process.

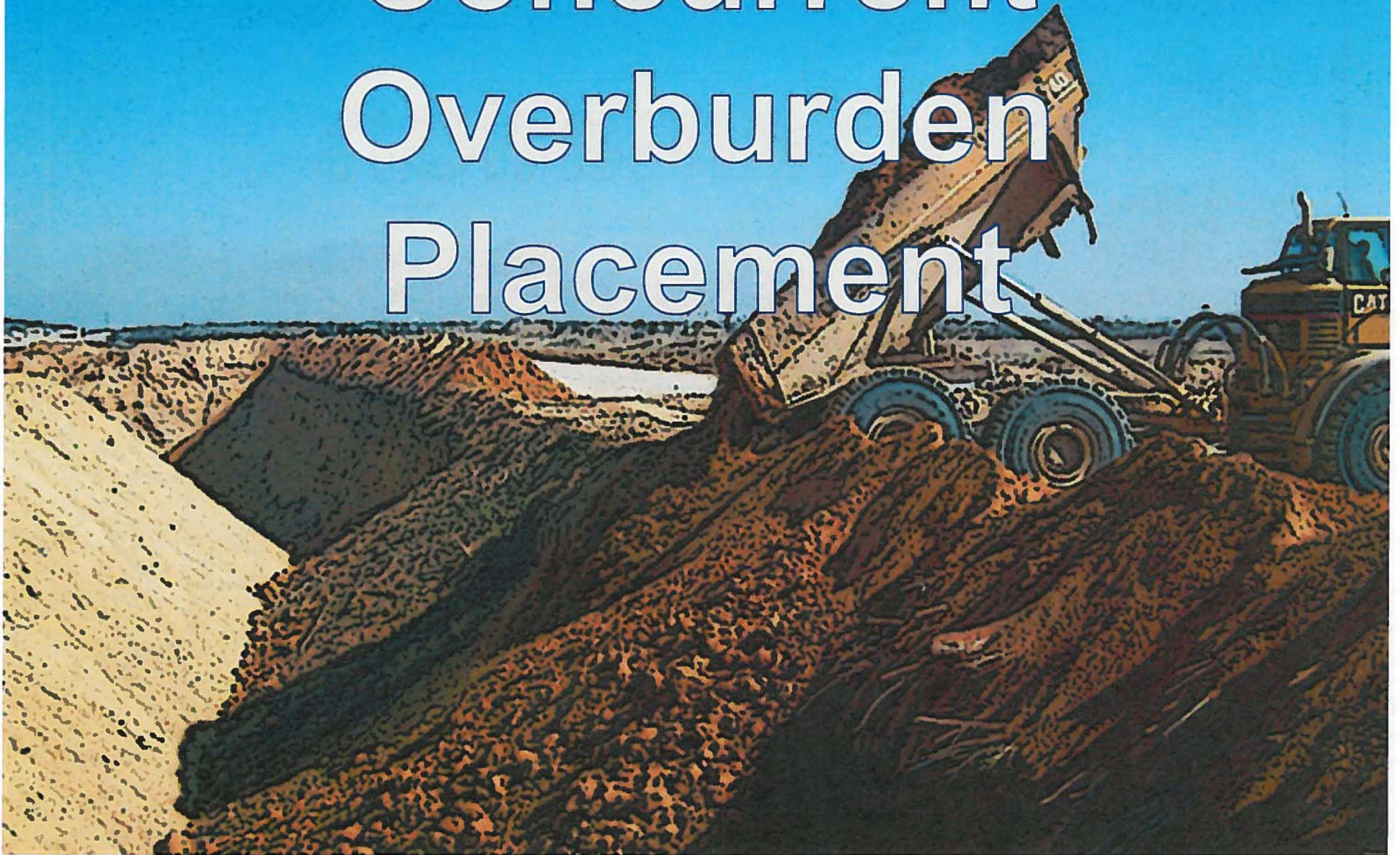
Loading Overburden



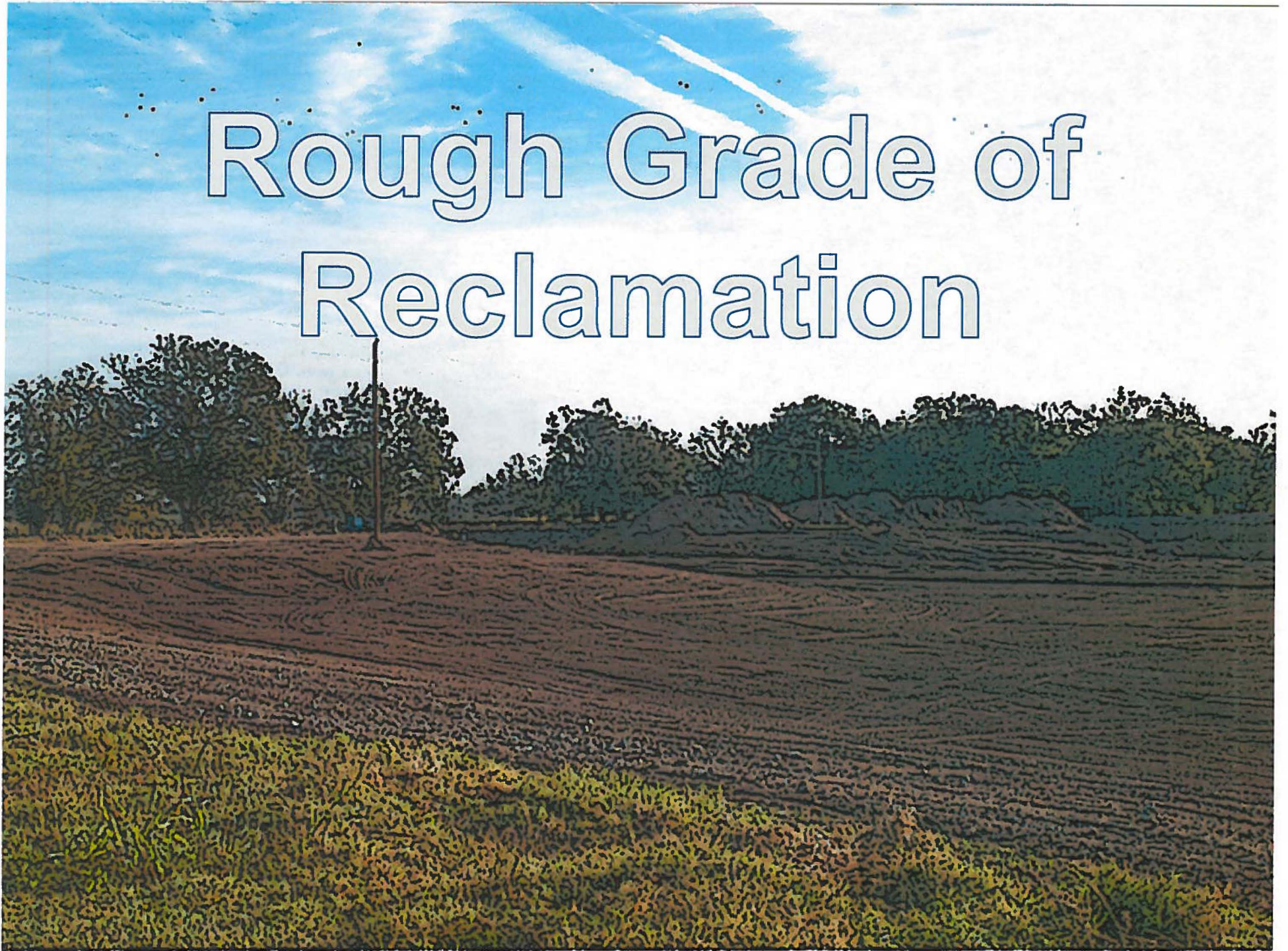
Overburden

Sand and Gravel

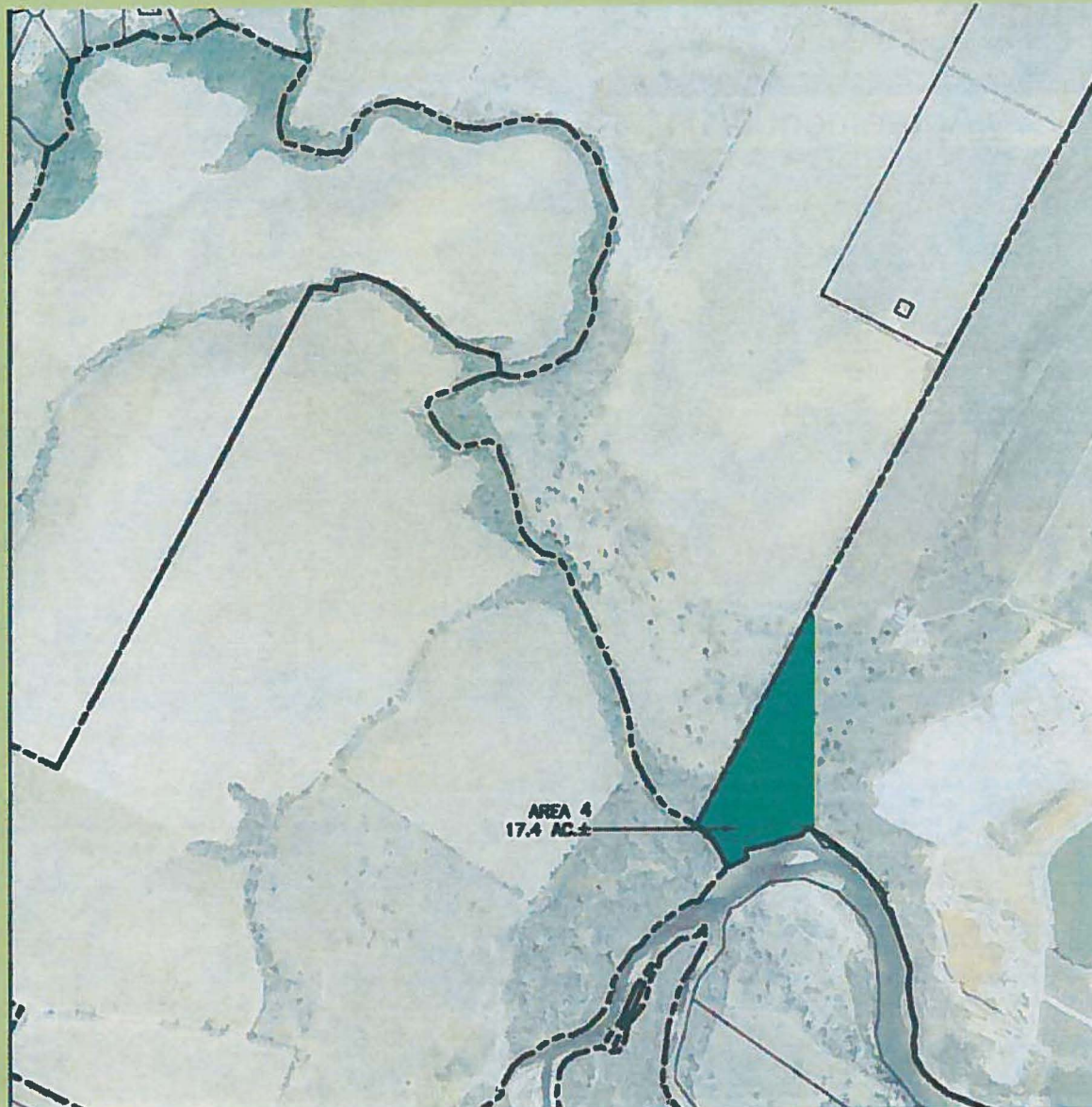
Concurrent Overburden Placement



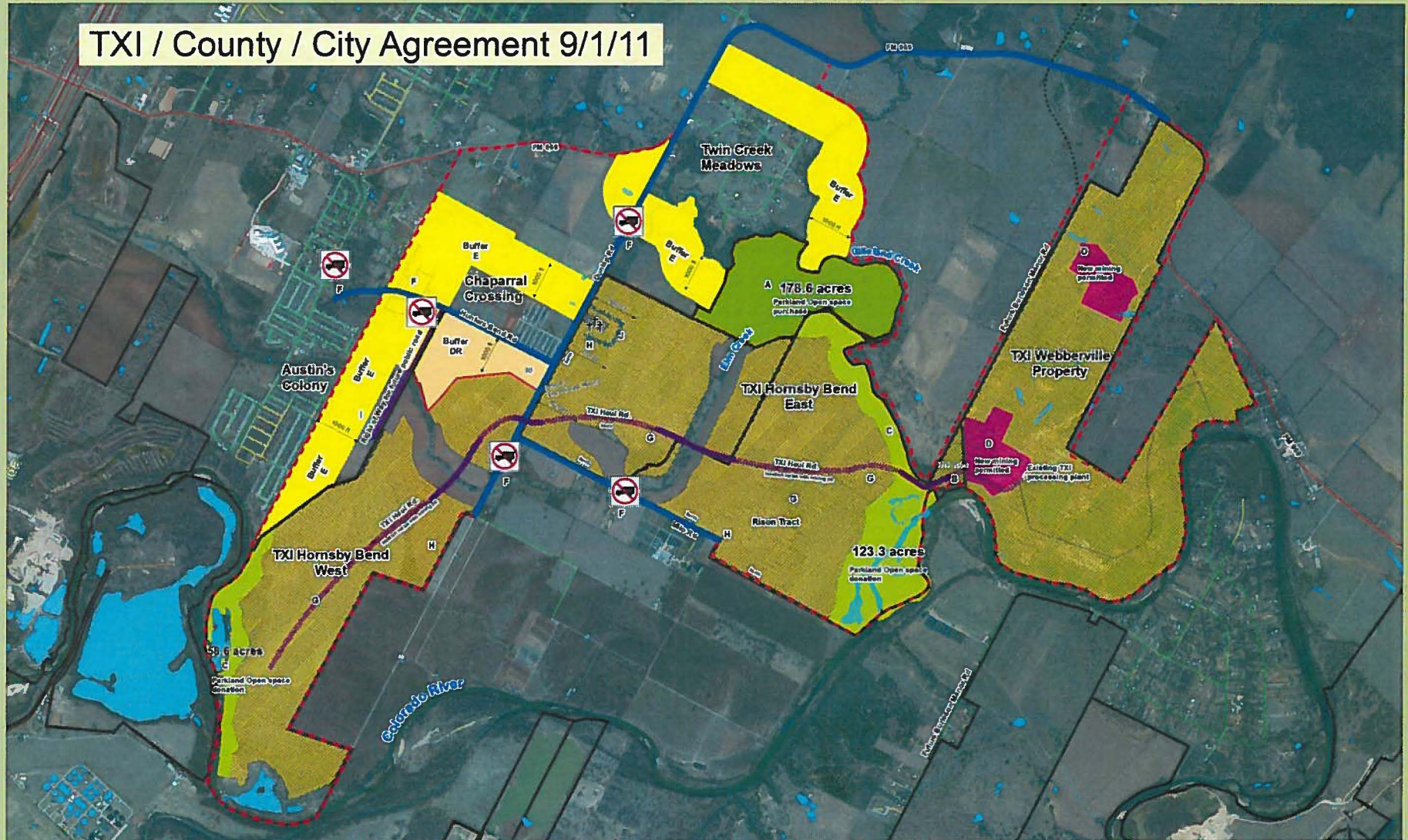
Rough Grade of Reclamation



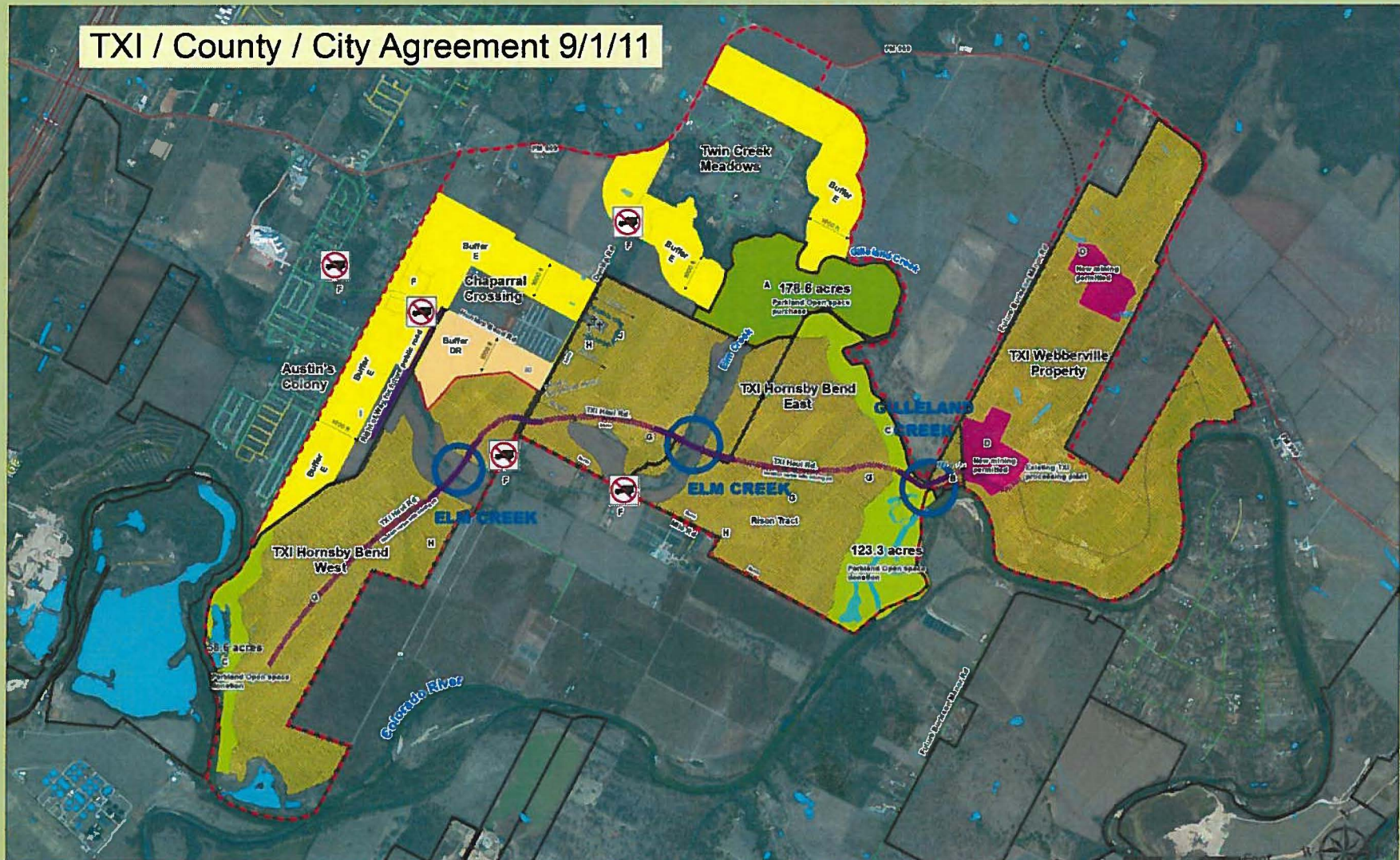
8. To help avoid future traffic congestion in the area, TXI sells County 17.4 acres to ensure bridge crossing for future Burleson-Manor Rd.



TXI / County / City Agreement 9/1/11



- TXI trucks must use internal haul road instead.
- Bridge across Gilleland Creek to be used as future pedestrian trail crossing
- ***City of Austin variance required to build haul road across creeks.***



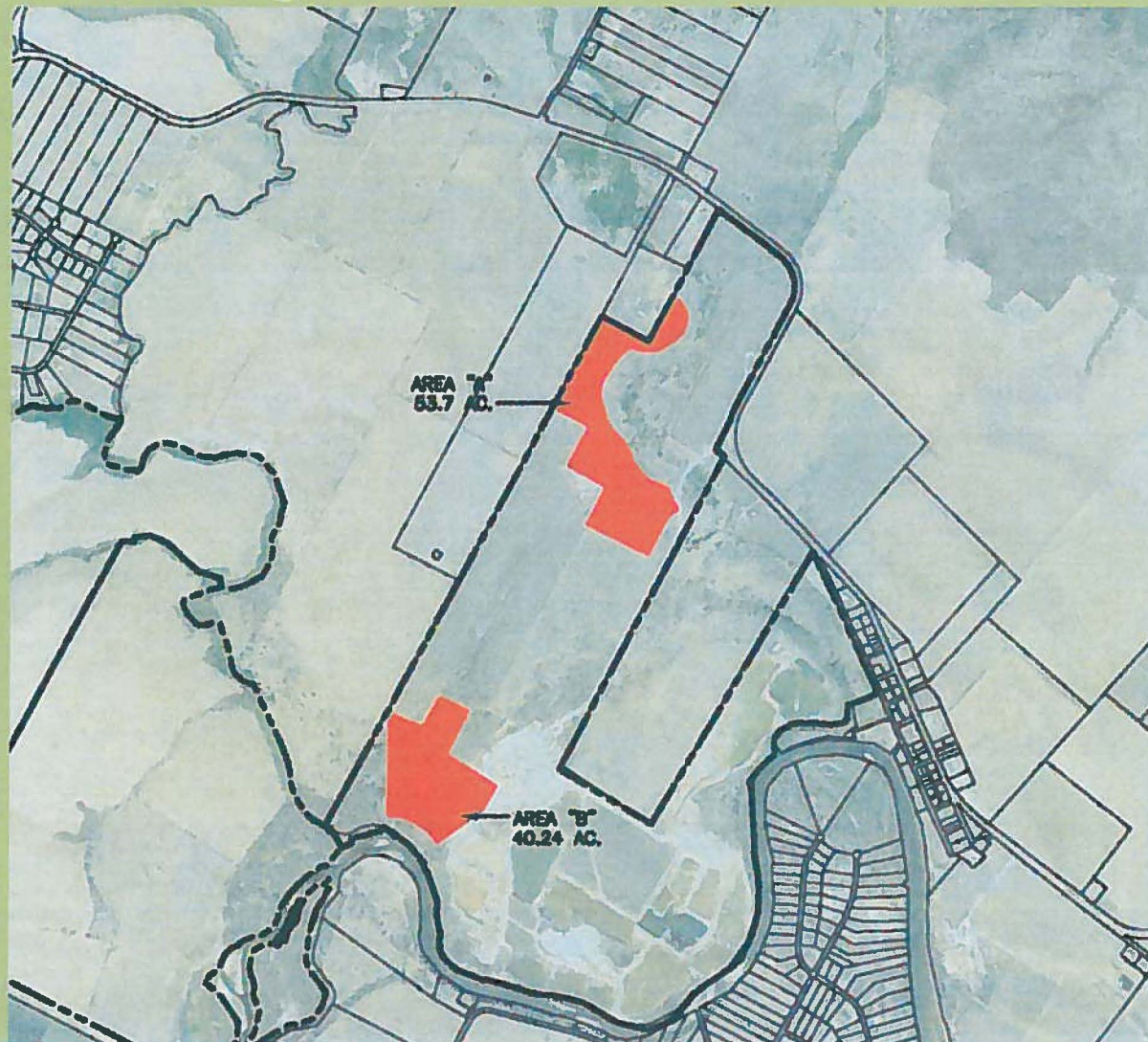
LIKELY VARIANCE REQUESTS OF THE CITY

- TXI road will have 3 crossings of Gilleland and Elm Creeks; 1 bridged and 2 at-grade, paved crossings.
- Road will be compacted, but unpaved other than at crossings.

Likely variances are:

- Cut greater than 4' (Administrative except for cut on slope >15%)
- Fill greater than 4', but less than 8' (Administrative except for fill on slope >15%)
- Construction in the CWQZ (Formal)
- CEF setback reduction for wetlands (Administrative)

To replace permitted mining areas lost by selling 178.6 acres to County, TXI seeks to establish rules and time periods for future mining permits on 94 acres of its Webberville Tract, similar to a Managed Growth Agreement .



Agreement Would Cost County \$2.9 Million Versus Over \$6.17 million for the Rison Tract.

- This leaves \$3,957,620 in remaining '05 open space bond funds to buy other high priority "Greenprint" land in eastern Travis County.

Agreement Would *Not* Grant Permits.

- Agreement would only set standards TXI must meet to obtain permits.
- TXI would submit plans and specifications and County and City staff would review them before permits issued.
- If permits improperly denied, agreement is terminated.